

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

APPEAL NO. 104 OF 2006
IN
CHAMBER SUMMONS NO.1202 OF 2005
IN
SUIT NO.1228 OF 1985

Vasudev Babubhai Kocha and another	.. Appellants
v/s.	
Rasilaben Kantilal Kansara and others.	.. Respondent

Mr.Naushad Engineer with Ms.B.C.Khatri i/by M/s.Vijaykumar & Co. for the appellants.

Mr.A.S.Doctor, Senior Counsel i/by M/s.B.Munim & Co. for the respondent No.1.

Mr.Mihir Mody i/by M/s.K.Ashar & Co. for the respondent Nos.2(a) to (c).

Mr.Pratik Sakseria i/by M/s.Raval Shah & Co. for the respondent No.3.

CORAM : R.M. LODHA &
ANOOP V.MOHTA, JJ.

DATED : 24TH FEBRUARY, 2006.

P.C.

The learned counsel for the parties handed in the minutes of the order, marked "X" for identification purposes.

2. In view thereof, we dispose of this appeal by the following order:-

(a) The Court Receiver shall immediately execute the

Deed of Conveyance in favour of the applicant-Madhusudan B. Kochab in respect of flat bearing No.B-24 at Sea-Gull Apartment, 4A, Bhulabhai Desi Road, Mumbai-400 026 along with all rights and/or benefits attached thereto and/or incidental thereto.

- (b) The applicant-Madhusudan B. Kocha is at liberty to approach and apply to the Sea-Gull Co-operative Housing Society for parking space if available and Sea-Gull Co-operative Housing Society shall dispose of the said application in accordance with law and the bye-laws adopted by the said society.
- (c) The order passed by the learned Chamber Judge on October 19, 2005 stands modified accordingly.

(R.M.LODHA, J.)

(ANOOP V. MOHTA, J.)